

SEEK RELIEF FROM DRASTIC DRY PLANS

House Members Try to Find
Escape From Provisions
of Volstead Bill.

DEMOCRATS PLAN COUP

Will Offer Amendments to
Stir Opposition—Senators
Consider Issue.

Special Despatch to The Sun.
WASHINGTON, July 9.—Virtually all members of the House except the few "conscientious objectors" to alcoholic beverages in any form, are now milling around like so many men in a cage built by themselves seeking an escape from the drastic provisions of the Volstead bill.

The breathing spell furnished by calendar Wednesday made that day even more sacred than ever and a motion by Representative Dyer (Mo.), a wet leader, to set aside "holy Wednesday" to continue consideration of the Volstead prohibition bill was overwhelmed by a vote of 296 to 8.

Both politically and economically the Republicans are finding prohibition as exemplified by the Volstead bill quite the bitterest medicine they have been called on to swallow. If there is any grain of comfort in the House membership it goes to the Democratic members from the arid South, who see in the drastic provisions of the measure an opportunity to stage a political raid which will not search them politically but will leave their Republican brethren hot and uncomfortable.

This raid will take the form of a seemingly determined attempt led by former Majority Leader Kitchin and others to mitigate the effects of the Volstead measure by amendments offered from the floor during the consideration of the bill in the committee of the whole, where no record vote can be taken.

Figures on Reaction.

If possible Mr. Kitchin will seek to keep his followers behind him for record votes on several amendments when the bill comes to the committee of the whole and before the House for final passage. This move will be made in confident anticipation of united opposition from the Republicans.

Republicans leaders in anticipation of this raid, were busy to-day seeking an "out." They realized that to support Democratic amendments would be to some extent playing into the hands of their political enemies, and which is an even more cogent objection, they are by no means sure they could muster enough Republican votes to reject the move in its Democratic flavor. There is a possibility that a successful attempt will be made to bring about the separation of the war time prohibition from the constitutional prohibition titles of the bill, but the necessity of opposing the "conscientious dries" in their own party gives them pause when considering this proposition.

Indications of the strength of Democratic efforts to bring about ameliorating amendments is seen in the statement of Representative Dyer, who on Wednesday, that he did not believe a final vote would be reached on the measure before Wednesday or Thursday of next week.

Many Amendments Coming.

This is entirely at variance with the hopes of Chairman Volstead of the Judiciary Committee, in charge of the bill, who hoped to move the action on this week. It indicates not only that the opponents contemplate offering a large number of amendments but that they also expect to be heard at length on their arguments even under the five minute rule. In spite of gag tactics they can accomplish this if enough amendments are available and offered.

Democratic amendments will take form along two general lines—for the repeal or separation of war time prohibition from constitutional prohibition, and for the elimination or liberalizing altogether the Volstead definition of intoxicating liquor under constitutional prohibition.

Mr. Kitchin was understood to be studying precedents to guide him in moving for a repeal of the war time prohibition measure prior to the action on the Volstead bill. The point will be made that if this objection is valid it will be so held by the courts regardless of action by Congress, and that by such decisions, scattered through the Federal courts in the various States, the prohibition act in effect would be binding in one State and invalid in another, bringing about an unfair and uneven measure of enforcement.

Senate Committee at Work.

Furthermore, in view of the fact that the several States under the constitutional amendments have "nonconcurrent" jurisdiction in enforcing its provisions it will be argued that for Congress to impose its definition of intoxicating liquor would be a violation of the terms of the amendment itself and therefore would defeat the purpose of the legislation.

The Judiciary subcommittee of the Senate resumed its consideration of the framework of the law to enforce prohibition to-day, and although the members discussed many phases of the proposed enactment they came to no definite conclusion on no major feature of the bill. The committee, however, will sit continuously now from day to day and by the middle of next week a measure can be offered in the Senate without doubt.

Committee opinion is divided as to the proper repository of the executive direction of enforcement. Also it has not crystallized yet on the rate per cent. of alcoholic content which shall constitute "intoxicating liquors." Alcoholic content seemingly to-day is the last ditch for the wets in the struggle to avoid complete elimination of alcohol from the American diet and from possible prosecution by the thirty States which are that the Senate, regardless of what the committee may recommend, will favor fixing the limit of alcoholic content at 1/2 of 1 per cent.

Previous test votes in the Senate have disclosed when other dry laws were in consideration that the Senate is against any trifling with the strength of beverage. The low content establishes beyond peradventure the non-intoxicating quality of any and all beverages.

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whether the user reaches any measurable degree of intoxication. It will be hard for Senators who might like to turn the less potent drinks loose upon the public to go home and explain how they voted to keep the breweries open even for 2.75 beer. Beer is beer to the white ribboners and all organized temperance societies throughout the country, and politicians are not disposed at the present juncture to trifle with this element.

U. S. BEGINS WAR UPON 2.75 BEER

Eleven Officials of Pittsburgh
Brewery Made Defendants
in Opening Drive.

PITTSBURGH, July 9.—The Government's drive against the sale of beer containing 2.75 per cent. alcohol was launched here to-day when United States Attorney R. L. Crawford filed a suit against the Pittsburgh Brewing Company, owner of the city's largest breweries, in the United States District Court, charging violation of the war time prohibition law. Eleven officials of the company were named in the information.

Immediately following filing of the suit United States Judge W. H. S. Thompson on pleas of the Federal attorneys issued a writ upon the company to appear in court. Simultaneously he issued bench warrants for the arrest of the eleven officials of the company named in the suit. The warrants were placed in the hands of United States Marshal Short, who immediately started out to round up the officials.

The individuals named in the suit, some of whom are millionaires, were: C. H. Ridall, E. J. Viscicki, W. P. Heckman, A. P. Behrensberg, E. H. Straub, A. H. Sunstein, L. P. Monahan, A. A. Fraumeni, E. W. Gwiner, Alois Winter and George A. Dickson. The suit was filed by the Federal attorney on information furnished by R. B. Spencer, special agent of the Department of Justice. An affidavit of Spencer accompanying the papers in the suit specifically charged that beer sold by the company contained by weight 1.84 per cent. alcohol and by volume 2.43 per cent.

The suit, which was predicted several days ago in the Department of Justice's announcements that it was persons higher up," charges the company sold Daniel Olinstead, a local saloon-keeper, ten barrels of beer at \$17 a barrel, and the name of the pharmacist who filled the order. In no case shall a physician prescribe for a patient who is not under his constant personal supervision. The condition or illness for which the prescription is issued must be carefully noted. The physician is to keep one copy of each prescription on file.

Druggists are permitted to deal in this trade only if their names appear on the physician's order, or if they have received the required permit, and have paid the special tax. There can be no refilling on one prescription. The druggists are instructed not to fill any prescription if they have reason to suspect that the physician is dispensing for other than strictly legitimate medicinal uses, or if they happen to know the patient as a "repeater."

The regulations affecting the wholesale and retail liquor dealers who were caught with prohibition with stocks of wine and liquors on hand, provide that they may sell to pharmacists holding permits until their present supplies are exhausted. The tax rate on liquors sold is \$6.40 a gallon. Pharmacists are permitted to enter the liquor business for non-beverage purposes. The present wholesale and retail dealers must suspend when their leftover stocks are gone. The tax rate on non-beverage alcohol, denatured or medicated for filling prescriptions, is \$2.20 a gallon.

Wines for Church Use.

Wines produced for sacramental purposes under clerical supervision may be removed from the point of production under special regulations and by application to the Railroad Administration. The Treasury Department is willing to change the rulings regarding wines intended for religious use if it is shown that any church customs are being violated. Respecting the enforcement of the act the ruling says:

"The Department of Justice has exclusive jurisdiction to enforce the prohibition provisions of the war prohibition law. Accordingly it should be suggested to all that they address either the Attorney General or the local United States Attorney when making inquiries as to the prohibition provisions. Similarly, when internal revenue officers become

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NO RUBBER STRINGS TO RUM EXEMPTIONS

Prescription Limited to One
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Tab on Patient.

NO CHANCE TO "REPEAT"

Treasury Department Issues
Rules for Medicinal and Other
Uses of Liquors.

The Treasury Department regulations governing the manufacture and sale of wines and liquors for medicinal or religious use were made public yesterday by William H. Edwards, Collector of Internal Revenue for the Second District. The rulings settle a number of points that have arisen under the act of November 21, 1918 (the war prohibition law), providing, among other things, that a physician may not prescribe more than one quart of wine, liquor or alcohol to any one patient in a month.

Records of all prescriptions and sales must be kept in duplicate both by the physician and the pharmacist, and once a month the pharmacist must file with the Collector of Internal Revenue a list showing the names of physicians, names of the patients and the total quantity dispensed to each patient during the month. The list will be closely examined by the revenue officers, and in case it appears that any persons are obtaining prescriptions from more than one physician or that they are procuring more than a normal quantity from a single physician, the case will be turned over to the United States District Attorney.

It is held in the ruling that the enforcement of wartime prohibition rests solely with the Department of Justice and that violations of the statute must be referred to that department. The double warian is made, however, that liquor dealers found guilty of violating the law also may be prosecuted for the recovery of the revenue tax involved.

Doctors Must Keep Record.

Physicians must keep a book in which on separate pages will show the record of every patient for whom they are issuing prescriptions for alcoholic liquors. This record must show the patient's name and address, the date of each prescription, the amount and kind of liquor dispensed, and the name of the pharmacist who fills the order. In no case shall a physician prescribe for a patient who is not under his constant personal supervision. The condition or illness for which the prescription is issued must be carefully noted. The physician is to keep one copy of each prescription on file.

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U. S. FILM GRAFT CHARGED.

Two Army Officers Accused of
Movie Exploitation.

Alfred J. Talley, Assistant District Attorney, said yesterday he would shortly put in the hands of the Federal authorities evidence tending to prove that two army officers have been using their official positions to aid in the exploitation of certain motion pictures made under Government direction for Government purposes. This evidence, Mr. Talley said, was obtained when he recently investigated the showing of one of the pictures here, during which he arrested the exhibitor, charged with showing obscene pictures.

Mr. Talley said the film was produced in a studio in New York on condition that it not be exploited commercially, but would be used solely at camps and cantonments of the army. But some one in the War Department, the Assistant District Attorney said, gave away the rights to the film to a man who was a "dollar a year man" for the Government, although he received \$2,500 a year for expenses.

This man's previous experience in the moving picture business consisted in

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"Two seventy-five per cent. beer comes clearly under the definition of liquors in the State liquor tax law and may not be sold legally without a State liquor tax certificate. Section 3-A of that law requires that a report of sales of liquor must be made to the State Excise Commissioner, on which a tax is assessed based on the volume of such sales.

"A general impression seems to prevail among holders of State liquor tax certificates that it is not necessary to keep account of sales of 2.75 per cent. beer and other liquors since the taking effect of the national war time prohibition law. Unless such accounts are kept and reports made as provided by law it will become necessary to revoke certificates and refuse to issue new certificates for premises where the owners have failed to keep accounts or render reports."

PRINTING PLANT FOR RAIL MEN

Convention Indorses Brotherhood
Labor Party Also.

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Cost of the plant was limited to \$100,000. It probably will be located in Cleveland. The convention adopted resolutions approving the order of Railway Conductors' plan to form a political labor party embracing the railway brotherhoods, with a rider providing for a daily paper to be owned by the party.

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